

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 19-cv-24460-GAYLES/REID

DELMART E.J.M. VREELAND II,

Petitioner,

v.

WARDEN SCOTT PRUITT, et al.,

Respondents.

ORDER AFFIRMING AND ADOPTING REPORT OF MAGISTRATE JUDGE

THIS CAUSE comes before the Court on the Report of Magistrate Judge (“Report”) [ECF No. 5]. On October 29, 2019, Petitioner Delmart E.J.M. Vreeland, II, filed a Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody [ECF No. 1]. The case was referred to Magistrate Judge Lisette Reid for a Report and Recommendation. [ECF No. 2]. Judge Reid’s Report recommended that the case be transferred to the Middle District of Florida as it is the appropriate venue. [ECF No. 5, at 2]. No objections were filed.

A district court may accept, reject, or modify a magistrate judge’s report and recommendation. 28 U.S.C. § 636(b)(1). Those portions of the report and recommendation to which objection is made are accorded *de novo* review, if those objections “pinpoint the specific findings that the party disagrees with.” *United States v. Schultz*, 565 F.3d 1353, 1360 (11th Cir. 2009); *see also* Fed. R. Civ. P. 72(b)(3). Any portions of the report and recommendation to which *no* specific objection is made are reviewed only for clear error. *Liberty Am. Ins. Grp., Inc. v. WestPoint*

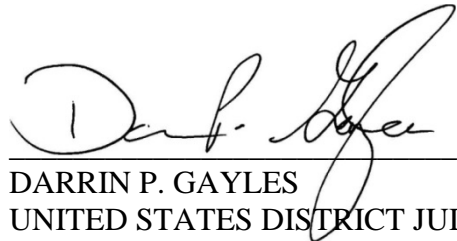
Underwriters, L.L.C., 199 F. Supp. 2d 1271, 1276 (M.D. Fla. 2001); accord *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006).

The Court, having reviewed the Report for clear error, agrees with Judge Reid's well-reasoned analysis and findings that this case should be transferred.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

- (1) Judge Reid's Report [ECF No. 5] is **AFFIRMED AND ADOPTED** and incorporated into this Order by reference;
- (2) This case shall be transferred to the Middle District of Florida for all further proceedings.

DONE AND ORDERED in Chambers at Miami, Florida, this 25th day of November, 2019.


DARRIN P. GAYLES
UNITED STATES DISTRICT JUDGE